



ZONING ADMINISTRATOR NOTICE OF DECISION

Date: September 22, 2015
Applicant: Verizon Wireless
Case No.: PCC 15-013
Address: Olympian High School
1791 Rock Mountain Road, Chula Vista, CA
(APN 644-241-04)
Project Planner: Jeff Steichen

Notice is hereby given that on September 22, 2015 the Zoning Administrator considered Conditional Use Permit (CUP) application PCC-15-013, filed by Verizon Wireless ("Applicant"). The Applicant proposes the construction of a wireless telecommunication facility located on the east side of the football stadium, at Olympian High School located at 1791 Rock Mountain Road ("Project Site"). The Property is owned by the Sweetwater Union High School District ("Property Owner"). The subject property is designated as Public/Quasi-Public (PQ) in the Chula Vista General Plan and is zoned RM-1 (Multi-Family) in the Village Seven Sectional Planning Area (SPA) Plan.

The Project is more specifically described as follows:

The subject site is 30.19 acres in size. The proposed wireless telecommunication facility includes installation of a new 100 foot high light standard designed to accommodate the installation of football field lighting, wireless antennas and related communication equipment. This is replacing the existing stadium light standard with a light standard that has substantially the same size, purpose and capacity. The wireless telecommunication facility includes a total of 12 antennas, 12 remote radio units (RRU's), and 1 microwave dish antenna, to be mounted on the light standard below the light fixture. The antennas would be mounted in two rows, approximately two feet apart. Each row would contain 6 antennas. The wireless facility will be designed as a stealth facility where antennas and RRU's are all painted to match the grey stadium light pole. The proposed stadium light standard will replace an existing light standard. Also included in the project is a 431 square foot equipment room, which includes a separate area for an emergency generator.

The Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for a Class 2 Categorical Exemption pursuant to Section 15302 (Replacement or Reconstruction) of the State CEQA Guidelines. Thus, no further environmental review is necessary.

The Zoning Administrator, under the provisions of Sections 19.14.030 (A) and 19.89 of the Chula Vista Municipal Code and the Village Seven Sectional Planning Area (SPA) Plan, has been able to make the findings for approval of this conditional use permit as required by CVMC Section 19.14.080:

That the proposed use at this location is necessary or desirable and will contribute to the general well being of the neighborhood or the community.

The proposed Project will contribute to the general well-being and public convenience by improving wireless communication through the provision of essential communication and improved, uninterrupted service to the area surrounding its location. The proposed wireless facility at this location is designed with state of the art technology that will not interfere with any existing activities or conveniences of the public.

That such use will not under the circumstances of the particular case be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

The Project will provide a choice in wireless communication reliability in the user's coverage area. The Project also includes a backup generator. In the event of an emergency or natural disaster, the Project will continue to function, which enhances the general health, safety, and welfare of the citizens of Chula Vista. The wireless antennas are mounted on the upper portion of the 100 foot high stadium light standard. The distance between the antennas, the adjacent stadium, the field, and the operation of the wireless telecommunication facility will not adversely affect users of the stadium and the adjacent high school campus. The Project would be designed to operate in compliance with federal law regulating such facilities. The facility will be monitored by alarms and maintained monthly by service technicians, therefore any potential impact to health and safety of the users of the site or surrounding area will be minimized.

That the proposed use will comply with the regulations and conditions specified in the code for such use.

Granting of this CUP is conditioned to require the Applicant and Property Owner to fulfill the conditions of approval and to comply with all applicable regulations and standards specified in the Municipal Code, including the City's Wireless Ordinance, for such uses. These include, but are not limited to, the incorporation of standards such as height, stealth technology, design, and visual integration of antennas. The Project requires approval of a building permit for the construction of the light standard, antennas, and support equipment, which will be subject to compliance with the California Building, Electrical, Mechanical, Fire and other applicable codes. Any potential public safety issues will be addressed during the building permit review process. These conditions will be enforced through inspections prior to issuance of permits and occupancy of the use, subsequent to operation of the facility. Furthermore, the conditions of this permit are approximately in proportion to the nature and

extent of the impact created by the Project in that the conditions imposed are directly related to, and of a nature and scope related to the size and impact of the Project. The Project will comply with all regulations and conditions specified in the Zoning Code for uses established under PCC-15-013.

That the granting of this Conditional Use Permit will not adversely affect the General Plan of the City or the adopted plan of any government agency.

The integration of state-of-the-art wireless facilities with existing uses helps to achieve the General Plan Objectives of the Public Facilities and Services Element, including Policy PFS 24.1 regarding the installation of state-of-the-art wireless facilities, and Policy PFS 24.2 regarding reviewing new telecommunications facilities and requesting siting and design techniques that maximize benefits and minimize community impacts.

BASED ON THE FINDINGS ABOVE, THE ZONING ADMINISTRATOR hereby approves Conditional Use Permit PCC-15-013, as described above subject to the following conditions of approval:

I. Prior to the issuance of the building permit by the City of Chula Vista for the Project, and use of the subject property in reliance upon this approval, the Applicant shall satisfy the following requirements:

1. The Applicant/Representative and Property Owner shall execute this document by making a true copy and signing both this original Notice of Decision and the copy on the lines provided below, said execution indicating that the Applicant/Representative and Property Owner have each read, understood and agreed to the conditions contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document within 30 Days of the effective date herein shall indicate the Applicant/Representative and Property Owner's desire that the project, and corresponding application for building/grading permits and/or business license, be held in abeyance without approval.

Signature of Applicant/Authorized Representative

Date

Signature of Property Owner/representative

Date

2. The Applicant shall apply for the required building permits to construct the wireless telecommunication facility, and any other improvements that require issuance of a building permit. Permits shall comply with applicable codes and requirements,

including but not limited to: the current 2013 California edition of Building Code (CBC), 2013 Mechanical Code, 2013 Plumbing Code, 2013 Electrical Code, 2013 Fire Code (CFC), 2008 Energy Code, and 2013 Green Building Code as adopted and amended by the State of California and the City of Chula Vista.

3. The Applicant shall submit structural calculations for the light standard foundation and a soils report with the permit application, to comply with wind speed regulations of the 2013 California Building Code.
4. The Applicant shall submit evidence to the satisfaction of the Building Official showing that the emergency generator complies with the 2013 California Electrical Code.
5. The Project shall be designed by an Architect or Engineer licensed by the State of California (California Business and Professional Code 5536.1, 6735).

II. The following on-going conditions shall apply to the Project as long as it relies upon this approval:

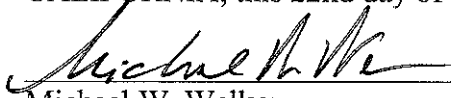
6. The Applicant shall construct and maintain the Project in accordance with the approved plans for PCC-15-013 date stamped approved on September 22, 2015, which includes a site plan and architectural elevations on file in the Planning Division, the conditions contained herein, and Title 19.
7. Approval of this Project shall not waive the Applicant's responsibility to comply with all sections of Title 19 of the CVMC, City's Wireless Ordinance and all other applicable City Ordinances in effect at the time of building permit issuance or the approval of this Conditional Use Permit.
8. The Project shall operate in compliance with the Performance Standards, CVMC Chapters 19.66, and Performance Standards and Noise Control, Chapter 19.68.
9. The Applicant shall execute this Conditional Use Permit as the authorized use only. Any new use or modification/expansion of uses shall be subject to the review and approval of the Zoning Administrator.
10. The Applicant shall cooperate with telecommunications companies in co-locating additional antennas on subject property provided said co-locators have received a Conditional Use Permit for such use at said site from the City. Applicant shall exercise good faith in co-locating with other communications companies and sharing the permitted site, provided such shared use does not give rise to a substantial technical level-or quality-of-service impairment of the permitted use (as opposed to a competitive conflict or financial burden). In the event a dispute arises as to whether

Applicant has exercised good faith in accommodating other users, the City may require a third party technical study at the expense of the Applicant.

11. Within 90 days of cessation of the business operations and use of the antennas, the Applicant shall submit a substitute user to the satisfaction of the Development Services Director and/or remove the Project and all associated equipment from the Project Site. If the facility is removed, then the Applicant shall restore the Project Site to its original condition. Any changes on this Conditional Use Permit shall require a modification to be reviewed by the Zoning Administrator.
12. The Applicant/Representative and Property Owner shall and do hereby agree to indemnify, protect, defend and hold harmless City, its City Council members, officers, employees and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's fees (collectively, liabilities) incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this Conditional Use Permit, (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated herein, and Applicant/Operator shall acknowledge their agreement to this provision by executing a copy of this Conditional Use Permit where indicated above. The Applicant/Representative and Property Owner's compliance with this provision is an express condition of this Conditional Use Permit and shall be binding on any and all of Applicant/Operator's successors and assigns.
13. Any violations of the terms and conditions of this permit may result in the imposition of civil or criminal penalties and/or the revocation or modification of this Conditional Use Permit.
14. If any of the foregoing conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny, or further condition issuance of all future building permits, deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted, institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation. Applicant or a successor in interest gains no vested rights by the City's approval of this Conditional Use Permit.
15. This Conditional Use Permit shall expire on September 22, 2025, ten (10) years from the date of this Zoning Administrator approval. The Applicant may request an extension 30 days prior to expiration date from this conditional use permit approval. The Zoning Administrator shall review this use for compliance with the conditions of approval and any applicable codes and regulation, and shall determine, in

consultation with the Applicant, whether the Project shall be modified from its original approval, denied or extended.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA, CALIFORNIA, this 22nd day of September, 2015.

A handwritten signature in black ink, appearing to read "Michael W. Walker", written over a horizontal line.

Michael W. Walker
Zoning Administrator